

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
Plaintiff)	
)	No. 1:20-cr-18
v.)	
)	
MELQUAN BARNETT,)	
Defendant)	

AMENDED ORDER OF DETENTION

The Court’s Order of Detention dated June 8, 2020 (ECF No. 8) is VACATED to the extent the Court treated this case as one supporting a rebuttable presumption for detention under 18 U.S.C. §3142(e). Although the Defendant is charged with a crime of violence, the Court has determined that other requirements necessary to support the presumption under §3142(e) are not satisfied. *See* 18 U.S.C. §3142(e)(A),(B),(C). Therefore, the Court improvidently granted the Government’s request to treat this case as a “presumption case.”

Nevertheless, after considering the factors set forth in 18 U.S.C. §3142(f), the Court finds that the Government has met its burden of proving by clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of the community. Therefore, the Order of Detention remains in effect, albeit on the alternative grounds stated in this Order. Specifically, the Court finds that the weight of the evidence against the Defendant is very strong and supports detention, the Defendant is subject to a lengthy period of incarceration if convicted, Defendant’s criminal history includes numerous charges and conflicts with law enforcement, and the Defendant has a lack of stable employment. Most significantly, the

alleged conduct of the Defendant – throwing an incendiary device into a coffee shop above which several apartments were located – evidences a callous disregard for the lives and safety of others.

A handwritten signature in black ink, appearing to read "R. Lanzillo", written in a cursive style.

RICHARD A. LANZILLO
United States Magistrate Judge

Dated: 6/11/2020